

REGULAR CITY COUNCIL MEETING
JANUARY 11, 1993

PRESENT

| | |
|----------------|----------------|
| Don Dafoe | Mayor |
| Gayle Bunker | Council Member |
| Robert Droubay | Council Member |
| Rex Harris | Council Member |

ABSENT

| | |
|----------------|----------------|
| Alan Burraston | Council Member |
| Robert Dekker | Council Member |

OTHERS PRESENT

| | |
|--------------------|--------------------------------|
| Dorothy Jeffery | City Recorder |
| Richard Waddingham | City Attorney |
| Morgan Reilly | Delta Area Youth Council |
| Thomas Chandler | City Resident |
| Russell Kennedy | Delta Area Youth Council Mayor |
| Gregory Schafer | City Employee |
| Judy Baker | City Treasurer |
| Kelly Cloward | City Resident |

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Attorney Richard Waddingham offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held December 28, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$91,317.34. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

ATTORNEY RICHARD WADDINGHAM: AN ORDINANCE ADOPTING A PROPOSED LEASE FOR AIRCRAFT SPACE AT THE DELTA MUNICIPAL AIRPORT

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance adopting a proposed Lease For Aircraft Space At The Delta Municipal Airport.

Attorney Waddingham presented and reviewed a Ground Lease Agreement and a proposed ordinance entitled:

ORDINANCE NO. 93-150

AN ORDINANCE ADOPTING A PROPOSED LEASE FOR AIRCRAFT HANGAR SPACE AT THE DELTA MUNICIPAL AIRPORT.

Following discussion, Council Member Gayle Bunker MOVED to adopt Ordinance No. 93-150 as presented. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

| | |
|-------------------------------|--------|
| Council Member Gayle Bunker | Yes |
| Council Member Alan Burraston | Absent |
| Council Member Robert Dekker | Absent |
| Council Member Robert Droubay | Yes |
| Council Member Rex Harris | Yes |

Mayor Dafoe then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: A RESOLUTION ADOPTING AN AMENDED MUNICIPAL WATER RIGHTS ACQUISITION AGREEMENT BETWEEN INTERMOUNTAIN POWER AGENCY AND DELTA CITY

Mayor Don Dafoe asked Attorney Richard Waddingham to present a resolution adopting an Amended Municipal Water Rights Acquisition Agreement between Intermountain Power Agency and Delta City.

Attorney Waddingham presented and reviewed an Amended Municipal Water Rights Acquisition Agreement between Delta City and Intermountain Power Agency (IPA).

Attorney Waddingham presented a proposed resolution entitled:

RESOLUTION NO. 93-215

A RESOLUTION APPROVING AN AMENDED MUNICIPAL WATER RIGHTS ACQUISITION AGREEMENT BETWEEN THE CITY OF DELTA, UTAH AND INTERMOUNTAIN POWER AGENCY PROVIDING FOR A WATER SUPPLY TO TERRITORIES ANNEXED INTO THE CITY OF DELTA AND SUBSEQUENTLY DEVELOPED TO PROVIDE HOUSING AND OTHER FACILITIES; ALLOWING DELTA CITY THE OPTION TO PURCHASE ANY SURPLUS WATER AVAILABLE UPON TERMINATION OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE FINAL FORM OF SAID AGREEMENT.

Mr. Waddingham explained that the resolution recognizes that Delta City has a Water Rights Acquisition Agreement with IPA and that Delta City now desires to extend that agreement indefinitely in five year increments. The resolution authorizes the Mayor to sign the contract between IPA and Delta City. However, Attorney Waddingham recommended that Delta City find out whether or not IPA has conveyed all water rights owed to Delta City before the agreement be signed.

Following discussion, Council Member Gayle Bunker MOVED to adopt Resolution No. 93-215 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

| | |
|-------------------------------|--------|
| Council Member Gayle Bunker | Yes |
| Council Member Alan Burraston | Absent |
| Council Member Robert Dekker | Absent |
| Council Member Robert Droubay | Yes |
| Council Member Rex Harris | Yes |

Mayor Dafoe then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: ORDINANCE IMPOSING A LENGTH AND WIDTH RESTRICTION ON VEHICLES PARKED ON DELTA CITY STREETS AND PROHIBITING THE PARKING OF CERTAIN VEHICLES AND TRAILERS ON CITY STREETS, AND PROHIBITING THE PARKING OF VEHICLES ON RESIDENTIAL STREETS LOCATED IN DELTA CITY SUBDIVISIONS TO PROVIDE FOR EFFECTIVE SNOW REMOVAL.

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding parking of certain vehicles and trailers on

City streets and providing for effective snow removal.

Attorney Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 93-151

AN ORDINANCE AMENDING TITLE 11-300 ET SEQ OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION), BY ADOPTING A NEW SECTION 11-345, IMPOSING A LENGTH AND WIDTH RESTRICTION ON VEHICLES PARKED ON DELTA CITY STREETS AND PROHIBITING THE PARKING OF CERTAIN VEHICLES AND TRAILERS ON CITY STREETS; BY ADOPTING A NEW SECTION 11-346 PROHIBITING THE PARKING OF VEHICLES ON RESIDENTIAL STREETS LOCATED IN DELTA CITY SUBDIVISION BETWEEN THE HOURS OF 9:00 P.M. TO 9:00 A.M., FOR A FIVE MONTH PERIOD FROM NOVEMBER 1 TO MARCH 31, TO PROVIDE FOR EFFECTIVE SNOW REMOVAL.

The ordinance was reviewed and discussed and corrections were made. Council Member Gayle Bunker then MOVED to adopt Ordinance No 93-151 as amended. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

| | |
|-------------------------------|--------|
| Council Member Gayle Bunker | Yes |
| Council Member Alan Burraston | Absent |
| Council Member Robert Dekker | Absent |
| Council Member Robert Droubay | Yes |
| Council Member Rex Harris | Yes |

Mayor Dafoe then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

Thomas Chandler was in attendance and thanked Attorney Waddingham and Public Works Director Neil Forster for their time and effort in preparing the above ordinance.

ATTORNEY RICHARD WADDINGHAM: FORECLOSURE OF TRUST DEED REGARDING PENDRAY ESTATES

Mayor Dafoe asked Attorney Richard Waddingham to discuss the foreclosure of Trust Deed regarding Pendray Estates.

Attorney Waddingham said that he is waiting for direction from the City Council regarding the foreclosure of a Trust Deed in the Pendray Subdivision.

Discussion was held regarding foreclosure procedures, after which Council Member Gayle Bunker MOVED to authorize Attorney Waddingham

to contact Robert Pendray to notify him of the City Council's intent to foreclose on the Trust Deed in the Pendray Subdivision. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RUSSELL KENNEDY, DCYCC MAYOR: DELTA CITY YOUTH COUNCIL CHARTER

Mayor Dafoe asked Russell Kennedy, Delta Area Youth Council Mayor, to address the City Council

Russell Kennedy addressed the City Council and presented a Charter for the Delta Area Youth City Council.

The Charter was reviewed in detail and corrections were made. Council Member Robert Droubay MOVED to adopt the Charter for the Delta Area Youth City Council as amended. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

RUSSELL KENNEDY, DAYCC MAYOR: SWEARING IN OF YOUTH COUNCIL MEMBERS

Mayor Dafoe asked City Recorder Dorothy Jeffery to administer the Oath of Office to Youth Council Member Morgan Reilly.

The Oath of Office was then administered to Morgan Reilly, Delta Area Youth Council Member.

EVELYN ROWLETTE, DELTA FLORAL: BUSINESS LICENSE FEE

Mayor Dafoe asked Evelyn Rowlette, Delta Floral, to address the Council.

Evelyn Rowlette addressed the City Council and expressed her opposition to the business license fee that is charged to Delta Floral annually. She said that she called 16 different floral shops in the area and her \$50 fee is high compared to the others.

Mayor Dafoe explained that the business license fees are a revenue source for Delta City, police protection is provided through these fees, and business licenses and fees help regulate the businesses within Delta City.

Discussion was held regarding the basis for the business license fee schedule, after which it was recommended that the fee schedule be reviewed prior to renewal of the 1994 business licenses.

OTHER BUSINESS

Mayor Dafoe reported that a meeting was held with Sunrise Engineering to discuss the cost proposal of the Downtown Beautification Project. The estimated cost of the project is \$2,320,000. This proposal will be presented at the next Regular City Council Meeting.

Attorney Waddingham recommended that some of Delta City's Revenue Sharing money be budgeted for risk management such as cutting of tree limbs, street, sidewalk and bridge, etc.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Rex Harris MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:40 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 2-08-93